

## Danner, Ward

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**From:** Wilson, Patrick  
**Sent:** Friday, January 10, 2014 10:14 AM  
**To:** Mogharabi, Nahal; Huetteman, Tom  
**Cc:** Cota, Thomas@DTSC (Thomas.Cota@dtsc.ca.gov)  
**Subject:** FW: EPA Public Statement for Malibu High - For Immediate Release...

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**From:** NiColle Holland [mailto:nraber@aol.com]  
**Sent:** Friday, January 10, 2014 1:40 AM  
**To:** Armann, Steve; Wilson, Patrick  
**Cc:** hughbkaufman@comcast.net; cami@sobini.com; topangafairy@gmail.com; ed@edbegley.com; jd18@me.com; cindyvander@gmail.com; milagrosfilms@gmail.com; julietobias@mac.com; hopedel@hotmail.com; joy.horowitz53@gmail.com; kmiller@gormanmiller.com; simonianl@aol.com; christinapascucci@icloud.com; melissa@malibutimes.com; dave@smdp.com; calagot@gmail.com; jruch@peer.org; pdinerstein@peer.org; penny.newman@ccaej.org; briggetteleonard@gmail.com; 2ingmail@verizon.net; lrnsmm@yahoo.com; agyork@malibutimes.com  
**Subject:** EPA Public Statement for Malibu High - For Immediate Release...

Dear Mr. Steven S. Armann,

I spoke with Mr. Wilson yesterday regarding our communities concerns. I appreciate that he called me back. In our conversation was some of the following:

The SMMUSD is now obstructing the truth and playing with the health and lives of our children and teachers at taxpayer expense. Will you hold them accountable for not following the EPA's clear terms and conditions and EPA protocol?

**According to the memo from Sandra Lyon, the Superintendent of Schools, "Mr. Armann will personally oversee the review and approval of our testing and cleaning protocols, as well as the verification sampling results."**

**Just 2 weeks ago your office wrote:**

Please note, EPA's acceptance of the plan is conditioned on the following:

Verification sampling of the air (post-cleaning) be conducted as described in the plan with the additional requirement that all windows in the rooms tested shall be closed.

**This week Ms. Lyon's told the truth (well sort of):**

"Some of the rooms were tested with the windows open," Superintendent Sandra Lyon said.

(Now learning that 5 out of 11 rooms she said windows were closed did not even have windows in their classrooms and failed to mention all the doors were left open during testing as well. We were told there were security guards employed all night for this reason (regarding open doors on campus).

**maybe not the whole truth:**

"It's not unusual for teachers to have windows open in their classrooms, especially when they are full of students and we were advised that you would want to capture some air samples that replicate actual in-use conditions of the classrooms," she said in an e-mail. –

**From a concerned teacher:**

"I just read over the "Limited PCB Site Cleaning and Verification Sampling Work Plan" that Mr. Katchen's group created. It states that they will replicate "typical winter conditions" during air testing. As the teacher in room xyz, I can tell you that I nearly always keep all windows closed during the winter. And I would like to use the heater in the room, but the air that

comes out is so disgusting, that I never turn the system on. Katchen's plan states, under 3.2.3 "Indoor Air Sampling" that windows will be kept "partially open" with the "ventilation system off." Doesn't this contradict the EPA's mandate that windows be kept closed?"

**Please see weather forecast in Malibu:**

Most mornings average 40 degrees in the winter, the basic needs of teacher's and students can't even be met with turning a heater on because it could cause unsafe conditions in the classroom. To meet most districts' guidelines at the very lowest acceptable temperature is 68 degrees in classrooms. Teacher's need to be able to turn heaters and ventilation systems on so the classrooms can have air flow without being afraid they will all get cancer. - If Ms. Lyon was interested in replicating actual in-use conditions, as it should be - she would have wanted to close the windows and doors with the heater and ventilation system ON for "typical winter conditions".

Why didn't Mark Katchen and the district send you the testing plan for the other 13 rooms pre-tested and post-tested? Did they not want EPA review/ approval? Did they not want to follow EPA guidelines to close the windows. Since the windows (and doors) were not closed, this testing would not be an EPA accepted plan or accepted results. Yet, in the letter sent out to parents on Dec 19th and then corrected on the 20th, Sandra Lyon stated that "The testing protocols and the results will be reviewed/approved by the EPA, Region 9." How can the EPA review or approve testing protocols and results of a testing plan they never received? The parents need to know that the district chose not to send this plan to the EPA and the EPA did not APPROVE of the 13 rooms of testing. Since you did not approve and oversee these tests, and you do not have a testing plan or QA/QC plan then how can you make a scientific assessment of this data and accept it?

At this point you should refuse to explain data that is not yours. To have to review test results before releasing the statement we demand, is giving the district tests validity after you had already acknowledged those test results achieved by the district did not meet EPA terms and conditions for approval.

**We demand your Office EPA Region 9 make a public statement to be released immediately: EPA will not accept the SMMUSD recent test results because they did not follow EPA terms and conditions and were proved invalid. –**

**When EPA verifies results, your office can only determine they are invalid as well:**

"There is no possible way that all of the samples collected had the same volume of air of 9555 liters or 9114 liters. They must not have properly calibrated the PUFF cartridge flow rate and if this is the case, this data is invalid." -Dr. Paul Rosenfeld

We are having a town hall meeting with representatives from Washington DC, environmental experts, media, parents, students and teachers. I would also like to personally invite you to be a part of a positive solution to ensure an environmentally healthy, working and learning environment of both Malibu High and Cabrillo Elementary Schools public buildings and property.

**TOWN HALL:**

Tuesday, January 28 (after school) 3:30pm  
Malibu United Methodist Church  
30128 Morning View Dr, Malibu, CA 90265  
(Directly across the street from MHS campus)

PCB's is the districts distraction from other contaminants identified on campus. My discussion with Mr. Wilson who had told me that your EPA office only works and deals with PCB's, and no other toxins - is simply not true. We need to find the sources of ALL already identified contaminants found on campus.

Since comprehensive testing has been stalled and testing has been at a bare minimum so far, it is misleading for the EPA to use the blanket term "SAFE" regarding the current situation on our campus today. There is no proof, and most

teachers' are not moving back to their classrooms until there IS. I would like the EPA to advise our school district to not use the term "SAFE" until the burden of proof has been met.

Thank you for your time and immediate attention to this today. I plead with you to do the right thing on this and immediately release your statement to the public: **EPA will not accept the SMMUSD recent test results because they did not follow EPA terms and conditions and were proved invalid. –**

We would love to have you at our Town Hall Meeting in Malibu. Please let me know if you can make it.

Sincerely,  
NiColle Holland  
310-430-2833